

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:17-CV-00340-GCM**

FEDERAL TRADE COMMISSION,)	
)	
Plaintiffs,)	
)	
v.)	<u>ORDER</u>
)	
ACDI GROUP, LLC)	
ANTHONY SWATSWORTH		
SOLUTIONS TO PORTFOLIOS, LLC,)	
)	
Defendants.)	
)	

THIS MATTER COMES before this Court on the Court's own Motion. For the reasons stated below, the Status Report filed on October 2, 2018 by Defendant Anthony Swatsworth (Doc. No. 66) will be sealed. Additionally, all future status reports in this case that contain personal identifiers of non-parties will be filed under seal.

The Court ordered Defendant Swatsworth to file a status report in this case on August 24, 2018. Defendant provided that status report in the form of a spreadsheet containing personal identifiers of non-parties on September 6, 2018 (Doc. No. 60) (sealed). Plaintiff moved to seal that document to protect the personal information of non-parties. (Doc. No. 61). The Court granted that motion via Order on September 20, 2018. (Doc. No. 63).

The Court ordered that Defendant Swatsworth provide additional status reports in this case. Defendant provided the first of those additional status reports on October 2, 2018 in the form of an updated spreadsheet. (Doc. No. 66). The updated spreadsheet also contained the personal identifiers of non-parties.

The Court now **ORDERS** the updated spreadsheet (Doc. No. 66) placed under seal.

Additionally, the Court **ORDERS** the parties to file all future status reports that contain personal identifiers of non-parties under seal.

In order to place a document under seal, the Court must (1) give the public notice and a reasonable opportunity to challenge the request to seal; (2) “consider less drastic alternatives to sealing;” and (3) if it decides to seal, make specific findings and state the reasons for its decision to seal rather than choosing other alternatives. *Virginia Dep’t of State Police v. Washington Post*, 386 F.3d 567, 576 (4th Cir. 2004). The updated spreadsheet, along with all future status updates in this case, concern the same actions and information covered within the original status report. The Court provided notice to the public of the original status report by placing it on the Court’s electronic filing system for nine days prior to sealing the document. The Court determines that no less restrictive means other than sealing is sufficient because a public filing of the status reports in this case would reveal personal information of non-parties including names, telephone numbers, email addresses, and other such information. The Court concludes that the sealing of this document is narrowly tailored to serve the interest of protecting the information of the non-parties.

IT IS THEREFORE ORDERED that the following documents shall be filed under seal until further Order of this Court: Docket Entry 66 and all future status reports that contain personal identifiers of non-parties.

Signed: October 10, 2018



Graham C. Mullen
United States District Judge

